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ST. PAUL, MN 55125			3621	

DATE MAILED: 06/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/643,263

Applicant(s)

KHAISHGI ET AL.

Examiner

John M Winter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1- 10, 12-20, 22-31, 33-43 and 48-56 is/are rejected.
- 7) ☒ Claim(s) 11, 21, 32 and 44-47 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Status

Claims 1-56 have been examined

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 10, 12-20,22-31,33-43 and 48-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trilli et al. (US Patent Application Publication 2003/0028762) in view of Seiden (US Patent Application Publication 2002/0038293).

As per claim 1,

Trilli et al ('762) discloses a method comprising:

certifying a plurality of online entities,(Page 1, paragraph 7)

selectively generating corresponding media objects for the online entities for which the respective certification data indicates successful certification, wherein each of the media objects includes media to present a unique seal of certification for each of the entities.(Page 2, paragraph 17)

Trilli et al ('762) does not explicitly disclose "storing certification data for each of the plurality of online entities in a database", Seiden ('293) discloses "storing certification data for each of the plurality of online entities in a database".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 2,

Trilli et al ('067) discloses the method of claim 1,

Trilli et al ('762) does not explicitly disclose "certifying that the online entities agree to participate in an online dispute resolution process associated with an online marketplace, and wherein generating corresponding media objects comprises generating the media objects to provide a visual indicator that the respective online entities have been certified as agreeing to participate in the online dispute resolution process", Seiden ('293) discloses "certifying that the online entities agree to participate in an online dispute resolution process associated with an online marketplace, and wherein generating corresponding media objects comprises generating the media objects to provide a visual indicator that the respective online entities have been certified as agreeing to participate in the online dispute resolution process".(Page 10, paragraph

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220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 3,

Trilli et al ('067) discloses the method of claim 1,

wherein generating corresponding media objects comprises generating the media objects as recognizable symbols associated with qualities of the online entities including at least one of trustworthiness, reliability, and superior customer service.(Pages 3-4, paragraph 47)

As per claim 4,

Trilli et al ('067) discloses the method of claim 1,

Official Notice is taken that "periodically updating the certification data for the entities, and modifying the media objects based on the updated certification data." is common and well known in prior art in reference to digital certification. It would have been obvious to one having ordinary skill in the art at the time the invention was made to update certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 5,

Trilli et al ('762) discloses the method of claim 4, wherein modifying the media objects comprises:

generating the media objects to have a first visual appearance when the certification data indicates the entity is certified; and generating the media objects to have different visual appearances when the certification data indicates that the certifications have been revoked.(Page 4 paragraph 53)

As per claim 7,

Trilli et al ('762) discloses the method of claim 4,

Official Notice is taken that "modifying the media objects comprises deleting one of the media objects based on the updated data" is common and well known in prior art in reference to digital certification . It would have been obvious to one having ordinary skill in the art at the time the invention was made delete a media object based on updated certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 7,

Trilli et al ('762) discloses the method of claim 1,

wherein certifying a plurality of online entities comprises verifying that the entities are a legitimate business entities.(Pages 3-4, paragraph 47)

As per claim 8,

Trilli et al ('762) discloses the method of claim 1,

wherein certifying a plurality of online entities comprises verifying at least one of: that a business practice of the entities conforms to a standard, and that the entities agree to conform to the standard.(Page 4, paragraph 49)

As per claim 9,

Trilli et al ('762) discloses the method of claim 1,

Trilli et al ('762) does not explicitly disclose "certifying the online entities upon receiving agreements to participate in online dispute resolution from the entities", Seiden ('293) discloses "certifying the online entities upon receiving agreements to participate in online dispute resolution from the entities".(Page 10, paragraphs 219 – 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 10,

Trilli et al ('762) discloses the method of claim 1,

wherein certifying a plurality of online entities comprises receiving an application for certification via a network.(Figure 1)

As per claim 12,

Trilli et al ('762) discloses the method of claim 1,

wherein the media objects comprise images.(Page 2, paragraph 17)

As per claim 13

Trilli et al ('762) discloses a computer-readable medium comprising instructions that cause a programmable processor to:  
generate corresponding media objects for each of the online entities based on the certification data,(Page 1, paragraph 7) wherein each of the media objects includes media to present a unique seal of certification for each of the entities.(Page 2, paragraph 17)

Trilli et al ('762) does not explicitly disclose "storie certification data for each of the plurality of online entities within a database", Seiden ('293) discloses "store certification data for each of the plurality of online entities within a database".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 14,

Trilli et al ('067) discloses the computer-readable medium of claim 13.

Official Notice is taken that "periodically updating the certification data for the entities, and modifying the media objects based on the updated certification data." is common and well known in prior art in reference to digital certification. It would have been obvious to one having ordinary skill in the art at the time the invention was made to update certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 15,

Trilli et al ('762) discloses the computer-readable medium of claim 14, wherein the instructions that cause a programmable processor to modify the media objects comprise instructions that cause a programmable processor to: generate the media objects to have a first visual appearance when the certification data indicates the entity is certified; and generate the media objects to have different visual appearances when the certification data indicates that the certifications have been revoked. (Page 4 paragraph 53)

As per claim 16,

Trilli et al ('762) discloses the computer-readable medium of claim 14, Official Notice is taken that "instructions that cause a programmable processor to delete one of the media objects based on the updated data" is common and well known in prior art in reference to digital certification. It would have been obvious to one having ordinary skill in the art at the time the invention was made delete a media object based on updated certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 17,

Trilli et al ('762) discloses the computer-readable medium of claim 13, wherein the instructions that cause a programmable processor to store certification data comprise instructions that cause a programmable processor to store data indicating whether the entities are a legitimate business entities. (Pages 3-4, paragraph 47)

As per claim 18,

Trilli et al ('762) discloses the computer-readable medium of claim 13, wherein the instructions that cause a programmable processor to store certification data comprise instructions that cause a programmable processor to store data indicating at least one of (a) whether a business practice of the entities conforms to a standard, and (b) whether the entities agree to conform to the standard. (Page 4, paragraph 49)

As per claim 19,

Trilli et al ('762) discloses the computer-readable medium of claim 13  
Trilli et al ('762) does not explicitly disclose "to store certification data comprise instructions that cause a programmable processor to store data indicating whether the entities have agreed to participate in online dispute resolution", Seiden ('293) discloses "to store certification data comprise instructions that cause a programmable processor to store data indicating whether the entities have agreed to participate in online dispute resolution". (Page 10, paragraphs 219 - 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 20,

Trilli et al ('762) discloses the computer-readable medium of claim 13,

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further comprising instructions that cause a programmable processor to receive an application for certification via a network.(Figure 1)

As per claim 22,

Trilli et al ('762) discloses the computer-readable medium of claim 13, wherein the media objects comprise images.(Page 2, paragraph 17)

As per claim 23

Trilli et al ('762) discloses a system comprising:  
a server to access the certification data, and generate corresponding media objects for each of the online entities based on the certification data,(Page 1, paragraph 7) wherein each of the media objects includes media to present a unique seal of certification for each of the entities.(Page 2, paragraph 17)

Trilli et al ('762) does not explicitly disclose "a database to store certification data for a plurality of online entities", Seiden ('293) discloses "a database to store certification data for a plurality of online entities;".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 24,

Trilli et al ('067) discloses the system of claim 23,  
wherein the server generates the media objects as recognizable symbols associated with qualities of the online entities including at least one trustworthiness, reliability, and superior customer service.(Pages 3-4, paragraph 47)

As per claim 25,

Trilli et al ('067) discloses the system of claim 23.  
Official Notice is taken that "server periodically accesses the database to update the certification data for the entities, and modifies the media objects based on the updated certification data." is common and well known in prior art in reference to digital certification. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the media objects based on the updated certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 26,

Trilli et al ('762) discloses the system of claim 25,  
wherein the server generates the media objects to have a first visual appearance when the certification data indicates the entity is certified, and generates the media objects to have different visual appearances when the certification data indicates that the certifications have been revoked. (Page 4 paragraph 53)

As per claim 27,

Trilli et al ('762) discloses the system of claim 25,

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Official Notice is taken that "the server deletes one of the media objects based on the updated data" is common and well known in prior art in reference to digital certification. It would have been obvious to one having ordinary skill in the art at the time the invention was made delete a media object based on updated certification data in order to improve the trustworthiness of the certification system by ensuring that all participants are active members.

As per claim 28,

Trilli et al ('762) discloses the system of claim 23,  
wherein the database stores data that indicates whether the entities are legitimate business entities.(Pages 3-4, paragraph 47)

As per claim 29,

Trilli et al ('762) discloses the system of claim 23,  
wherein the database stores data that indicates at least one of (a) whether a business practice of the entities conforms to a standard, and (b) whether the entities agree to conform to the standard. (Page 4, paragraph 49)

As per claim 30,

Trilli et al ('067) discloses the system of claim 26,

Trilli et al ('762) does not explicitly disclose "indicates whether the entities have agreed to participate in an online dispute resolution associated with an online marketplace, and wherein the server generates the media objects to provide a seal of certification indicating that the respective online entities have agreed to participate in the online dispute resolution process", Seiden ('293) discloses "indicates whether the entities have agreed to participate in an online dispute resolution associated with an online marketplace, and wherein the server generates the media objects to provide a seal of certification indicating that the respective online entities have agreed to participate in the online dispute resolution process".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 31,

Trilli et al ('762) discloses the system of claim 23,  
wherein the server receives an application for certification from one of the entities via a network.(Figure 1)

As per claim 33,

Trilli et al ('762) discloses the system of claim 23,  
wherein the media objects comprise images.(Page 2, paragraph 17)

As per claim 34,

Trilli et al ('762) discloses a method comprising:  
generating corresponding media objects for each of the online entities based on receipt of the agreements, wherein each of the media objects includes media to present a

unique seal of certification for each of the entities.(Page 2, paragraph 17)

Trilli et al ('762) does not explicitly disclose "receiving agreements to participate in online dispute resolution from plurality of online entities", Seiden ('293) discloses "receiving agreements to participate in online dispute resolution from plurality of online entities".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 35,

Trilli et al ('067) discloses the method of claim 34, further comprising storing data reflecting the agreements for each of the online entities in a database, wherein generating corresponding media objects comprises generating corresponding media objects for each of the online entities based on the data stored in the database.(Page 2, paragraph 17)

As per claim 36,

Trilli et al ('067) discloses the method of claim 34, wherein the media objects comprise images (Page 2, paragraph 17) and the entities comprises online merchants.(Figure 1)

As per claim 37,

Trilli et al ('067) discloses a method for providing electronic seals of certification for participants in an online marketplace or other intermediary that is accessed via a computer network and enables participants to buy and sell items comprising:

certifying participants in the online marketplace;(Page 1, paragraph 7) generating corresponding media objects for each of the participants based on the certification data stored in the database, wherein each of the media objects includes media to present a unique seal of certification for each of the participants that indicates the certification status of that participant, (Page 2, paragraph 17)

Trilli et al ('762) does not explicitly disclose "wherein the media objects have a first visual appearance when the certification data indicates that entity is certified, and different visual appearances when the certification data indicates that the certifications have been revoked", Seiden ('293) discloses "wherein the media objects have a first visual appearance when the certification data indicates that entity is certified, and different visual appearances when the certification data indicates that the certifications have been revoked".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

Trilli et al ('762) does not explicitly disclose "storing information for each of the participants within a database, the information for each participant including certification data that indicates a certification status that participant", Seiden ('293) discloses "storing information for each of the participants within a database, the information for each participant including certification data that indicates a certification status that participant".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was

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made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 38,

Trilli et al ('067) discloses the method of claim 37, further comprising: receiving a request from a web browser executing on a client device for one of the media objects', and communicating the requested media object to the web browser for presentment of the respective seal of certification to a user as a portion of a website associated with the online marketplace to indicate the certification status of the one of the participants in the online marketplace associated with the requested media object.(page 2, paragraph 17)

As per claim 39,

Trilli et al ('067) discloses the method of claim 37,

Trilli et al ('762) does not explicitly disclose "certifying participants comprises certifying sellers within the marketplace, and wherein communicating the requested media object to the web browser for presentment of the respective seal of certification as a portion of a website comprises communicating the requested media object to the web browser for presentment of the respective seal of certification to a buyer as a portion of a web page associated with the seller", Seiden ('293) discloses "certifying participants comprises certifying sellers within the marketplace, and wherein communicating the requested media object to the web browser for presentment of the respective seal of certification as a portion of a website comprises communicating the requested media object to the web browser for presentment of the respective seal of certification to a buyer as a portion of a web page associated with the seller".(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al ('762) method with the Seiden ('293) method in order to prevent fraudulent transactions.

As per claim 40,

Trilli et al ('762) discloses the method of claim 37,

wherein certifying participants in an online marketplace comprises verifying that the participants are a legitimate business entities.(Pages 3-4, paragraph 47)

As per claim 41,

Trilli et al ('762) discloses the method of claim 37,

wherein certifying participants in an online marketplace comprises at least one of verifying that a business practice of the participants conforms to a standard and that the participants agree to conform to certain standards. (Page 4, paragraph 49)

As per claim 42,

Trilli et al ('762) discloses the method of claim 37,

Trilli et al ('762) does not explicitly disclose "certifying participants in an online marketplace comprises certifying the participant upon receiving agreements to participate in online dispute resolution from the participants", Seiden ('293) discloses "certifying participants in an online marketplace comprises certifying the participant upon receiving agreements to

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participate in online dispute resolution from the participants”.(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al (‘762) method with the Seiden (‘293) method in order to prevent fraudulent transactions.

As per claim 43,

Trilli et al (‘762) discloses a system comprising:

a server to certify each of the online entities and generate corresponding media objects for each the online entities based on the certification,(Page 1, paragraph 7)

wherein each of the media objects includes media to present a unique seal for each of the entities, communicate a requested one of the media objects to a web browser for presentment of the respective seal to a user as a portion of a website, and selectively provide the information stored within the database for the entity associated with requested media object to the user via the web browser(page 2, paragraph 17)

Trilli et al (‘762) does not explicitly disclose “a database to store information for each of a plurality of online entities”, Seiden (‘293) discloses “a database to store information for each of a plurality of online entities”.(Page 10, paragraph 220). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Trilli et al (‘762) method with the Seiden (‘293) method in order to prevent fraudulent transactions.

As per claim 49,

Trilli et al (‘067) discloses the system of claim 43,

wherein the server provides a web page that includes the information to the user.(Figure 3)

As per claim 49,

Trilli et al (‘067) discloses the method of claim 1,

wherein selectively generating corresponding media objects comprises dynamically generating the media objects to display dates as part of the seal of certifications.(page 2, paragraph 29; page 3, paragraph 44)

As per claim 50,

Trilli et al (‘067) discloses the method of claim 49,

wherein the dates comprise expiration dates for the seals of certification.(page 2, paragraph 29; page 3, paragraph 44)

As per claim 51,

Trilli et al (‘067) discloses the method of claim 1,

wherein selectively generating corresponding media objects comprises dynamically generating the media objects to display times as part of the seal of certifications.(page 2, paragraph 29; page 3, paragraph 44)

As per claim 52,

Trilli et al (‘067) discloses the method of claim 49,

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wherein the dates comprise timestamps for the seals of certification.(page 2, paragraph 29; page 3, paragraph 44)

As per claim 53,  
Trilli et al ('067) discloses the method of claim 1,  
wherein selectively generating corresponding media objects comprises dynamically generating the media objects to display identities of the online entities as part of the seal of certifications.(Page 3, paragraph 44)

As per claim 54,  
Trilli et al ('067) discloses the method of claim 1,  
wherein selectively generating corresponding media objects composes dynamically generating the media objects to display credentials of the online entities as part of the seal of certifications.(Page 3, paragraph 44)

As per claim 55,  
Trilli et al ('067) discloses the method of claim 1,  
wherein selectively generating corresponding media objects comprises dynamically generating the media objects to display policies or business practices of the online entities as part of the seal of certifications.(Page 3, paragraph 44)

As per claim 56,  
Trilli et al ('067) discloses the method of claim 1,  
wherein selectively generating corresponding media objects comprises dynamically generating the media objects to display contact information for the online entities as part of the seal of certifications.(Page 3, paragraph 44)

#### ***Allowable Subject Matter***

Claims 11,21,32 and 44-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and complying with double patenting statutes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references

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in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

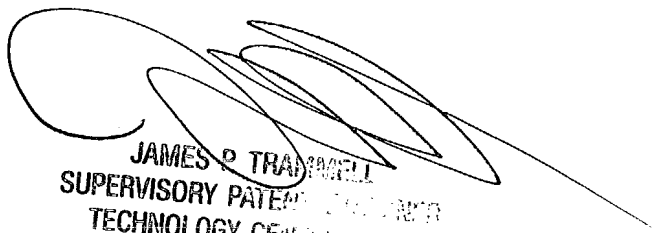
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (763) 872-9306 for regular communications and (763) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW

May 31, 2004



JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER